

Translation

PATENT COOPERATION TREATY

PCT/EP2003/004567



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P26705/WO Kf	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/004567	International filing date (day/month/year) 30 April 2003 (30.04.2003)	Priority date (day/month/year) 14 June 2002 (14.06.2002)
International Patent Classification (IPC) or national classification and IPC H04B 17/00		
Applicant ROHDE & SCHWARZ GMBH & CO. KG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 16 October 2003 (16.10.2003)	Date of completion of this report 24 November 2003 (24.11.2003)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## I. Basis of the report

## 1. With regard to the elements of the international application:\*

- ☒ the international application as originally filed
- ☒ the description:  
pages \_\_\_\_\_ 1-9 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages \_\_\_\_\_ 1-5 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
pages \_\_\_\_\_ 1/5-5/5 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

## 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/04567

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	1-5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

## 2. Citations and explanations

1. The application relates to a method for displaying power levels for code channels of a CDMA signal that is sent with orthogonal transmit diversity (OTD) and to a corresponding signal analyzer. Therefore, the requirement of PCT Article 33(4) with respect to industrial applicability has been satisfied.
2. Document US-B1-6 219 340 (D1; the references in parentheses are to D1), which is mentioned in the application and is considered the closest prior art, discloses a method for displaying power levels for code channels of a CDMA signal, said method including the following steps:
  - receiving the CDMA signal;
  - determining a code class to display the power levels for the individual code channels;
  - detecting the power levels for the individual code channels in the particular code class;
  - displaying the power levels for the code channels (column 3, line 30 to column 4, line 19; figure 1).
3. The subject matter of claim 1 differs from document D1 in that the method is well-suited for displaying power levels for code channels of a CDMA signal that is sent

with orthogonal transmit diversity and comprises the following method steps:

- detecting the power levels for the individual code channels in the code class immediately above the particular code class;
- assigning the power levels for the individual code channels to the antennas corresponding to the OTD in the particular code class;
- inverting the code channels according to the actual assignment of antennas with regard to the code classes of the actually active code channels;
- displaying the power levels for the inverted code channels for at least one antenna.

4. The technical effect of the above method is that it is possible to display the distribution across the antennas in use of the power levels for the individual active code channels.
5. The problem to be solved by the present invention can thus be seen as that of making it possible to display the OTD distribution of the power levels for the individual active code channels across the antennas that are in use (see the description, page 2).
6. None of the other documents discloses the special technical features of claim 1 or the problem to be solved, nor do they suggest this problem. Therefore, the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step have likewise been satisfied.
7. A similar analysis applies to device claim 3.